BOARD OF REVIEW DECISION

Title of publication:	At Wood Street
Other known title(s):	Z Wood St
OFLC ref:	1700726.001
Medium:	Photograph
Artist:	Rhondda Bosworth
Country of origin:	Aotearoa New Zealand
Language:	English
Applicant:	Applicant B
Classification:	The publication is classified as objectionable except if its availability is restricted to the subject of the image.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	03 May 2018
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	01 May 2018

Summary of reasons for decision:

This was an appeal to the Board under section 47(2)(e) of the Films, Videos, and Publications Classification Act 1993 (the Act), by Applicant B for a review of the decision of the Office of Film and Literature Classification (the Classification Office) dated 19 January 2018.

The publications at issue consisted of a book containing photographs, as well as five individual photographs, which depict Applicant B nude in various scenes as a child or young person in the 1970s and 1980s.

The book, Six Women Photographers, was submitted to the Classification Office on behalf of the Secretary for Internal Affairs under section 13(1)(b) of the Act following a request by Applicant B to have the book restricted from public access by the National Library of New Zealand.

The five photographs are from the collection of the Museum of New Zealand Te Papa

Tongarewa (Te Papa) and were called in for classification (with three other photographs not the subject of this review) by the Chief Censor under section 13(3) of the Act.

In its decision, the Classification Office classified the book Six Women Photographers and the photographs as unrestricted under the Act.

Applicant B sought a review of that decision.

After reading submissions from Applicant B, one of the two photographers Rhondda Bosworth and the Classification Office, the Board have determined that:

The photographs Z/reprised (or Z upside down), 1997; Z/grid, 1997 and Mother goes upside down, 1984 are classified as unrestricted under section 23(2)(a) of the Act.

The book Six Woman Photographers is classified as unrestricted under section 23(2)(a) of the Act.

The photographs Mother goes upside down, 1984 (photographer Rhondda Bosworth) and Zillah, 1977 (photographer Ann Noble) are classified under section 23(2)(c) of the Act as objectionable except if their availability is restricted to Applicant B only.

In summary, the Board considered the latter two photographs to depict a young person nude or partially nude in a way that conveys the sexual availability of children and young persons in a way in which they are not so available is a part of a continuous desensitising of the public to the sexualisation of children and young persons which is harmful to those children and young persons and injurious to the public good.